

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANNSELM MORPURGO, M.A.,

Plaintiff,

-against-

MEMORANDUM & ORDER  
07-CV-1149(JS)(AKT)

THE INCORPORATED VILLAGE OF SAG HARBOR,  
and Gregory N. Ferraris as appointed  
Mayor, Edward Deyermond as retiring  
elected Mayor, and J. Doe #1 through #N  
of the elected Board of Trustees,  
SAG HARBOR VILLAGE POLICE and  
Thomas Fabiano as Police Chief,  
Police Officer Patrick Milazzo,  
SAG HARBOR VILLAGE BUILDINGS DEPARTMENT  
and Timothy Platt as Fire Marshal/Code  
Enforcer, and Building Inspector Albert  
Daniels as material witness, SUFFOLK  
COUNTY WATER AUTHORITY and Paul Greenwood  
as Assistant Superintendent,  
CALECA & TOWNER, PC, ANDREW T.  
TOWER, ESQ., JOHN JERMAIN MEMORIAL  
LIBRARY, Gregory N. Ferraris as  
President of the Board of Trustees,  
and J. Doe #1 Through #N of the appointed  
or elected Board of Trustees,  
JOHN JERMAIN FUTURE FUND Gail Slevin  
and Gregory N. Ferraris, CPA, LLC, as  
Contacts, and J. Doe #1 through #N as  
subscribers, GAIL SLEVIN as Contact,  
GREGORY N. FERRARIS, THOMAS FABIANO,  
PATRICK MILAZZO, TIMOTHY PLATT,  
PAUL GREENWOOD, CHRISTINE STANLEY also  
known as Helga Morpurgo, ANDREW T.  
TOWNER, ESQ., MICHAEL A. WOLOHOJIAN,  
PETER DARROW, OTHER PERSONS J. DOE #1  
THROUGH #N as other conspiring  
individuals upon Discovery, ED DEYERMOND  
as retiring elected Mayor,

Defendants.

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SEYBERT, District Judge:

On March 19, 2007, pro se Plaintiff, Annselm Morpurgo ("Morpurgo") commenced this action. By Order dated July 27, 2009, this Court referred the case in its entirety to Magistrate Judge A. Kathleen Tomlinson for issuance of a Report and Recommendation ("R&R") on the then-pending motions. Judge Tomlinson issued her R&R on February 17, 2009, and it was served on Plaintiff two days later. On March 2, 2010, within the deadline for submitting objections, Plaintiff filed her objection with the Court.

"When evaluating the report and recommendation of a magistrate judge, the district court may adopt those portions of the report to which no objections have been made and which are not facially erroneous." Walker v. Vaughan, 216 F. Supp. 2d 290, 291 (S.D.N.Y. 2002) (citation omitted). However, if a party serves and files specific, written objections to a magistrate's report and recommendation within ten days of receiving the recommended disposition, see FED. R. CIV. P. 72(b), the district "court may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. §636(b)(1)(C); see also FED. R. CIV. P. 72(b). When a party raises an objection to a magistrate judge's report, "the court is required to conduct a de novo review of the contested sections." See Pizarro v. Bartlett, 776 F. Supp. 815,

817 (S.D.N.Y. 1991). However, "[w]hen a party makes only conclusory or general objections, or simply reiterates his original arguments, the Court reviews the Report and Recommendation only for clear error." Barratt, 2002 U.S. Dist. LEXIS 3453, at \*2 (citations omitted).

In this case, Plaintiffs objections are conclusory at best. Such objections are insufficient to warrant this Court's de novo review of the R&R. Thus, the Court reviews the R&R for clear error. Upon careful review and consideration, the Court ADOPTS the R&R in its entirety, finding no clear error in its recommendations. Accordingly, Defendants' motions to dismiss are GRANTED. Plaintiff's Amended Complaint is hereby DISMISSED in its entirety. Sag Harbor Defendants' motion to revoke Plaintiff's in forma pauperis status is, therefore, moot. The Clerk of the Court is directed to mark this matter CLOSED and to mail a copy of this Order to the Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: March 5, 2010  
Central Islip, New York